

**Metropolitan Transportation Commission
Programming and Allocations Committee**

December 13, 2023

Agenda Item 2f - 23-1416

MTC Resolution Nos. 4594, Revised; 4613, Revised; and 4615. Allocation of \$16.8 million in Regional Measure 3 (RM3) capital funds to Solano Transportation Authority (STA), Alameda-Contra Costa Transit District (AC Transit), and San Francisco Municipal Transportation Agency (SFMTA)

Subject:

Recommended allocation of a total \$16.8 million in RM3 capital funds to Solano Transportation Authority (I-80/I-680/SR12 Interchange Project), Alameda-Contra Costa Transit District (Quick Build Transit Priority Projects) and San Francisco Municipal Transportation Agency (Muni Fleet Expansion & Facilities: Potrero Modernization Project).

Background:

Bay Area voters approved Regional Measure 3 (RM3) on June 5, 2018, and on December 19, 2018, the Bay Area Toll Authority (BATA) adopted a toll schedule phasing in the resulting toll increase. BATA implemented the first and second dollars of the toll increase on January 1, 2019 and January 1, 2022, respectively.

MTC Resolution No. 4404, Revised, establishes policies and procedures to guide the delivery of capital projects funded by RM3. The overall RM3 capital expenditure program in statute is listed in Attachment A, including Commission-programmed subprojects, Letters of No Prejudice (LONPs), and allocations.

Litigation challenging RM3 was resolved in January 2023. BATA subsequently released the toll funds held in escrow and terminated the escrow agreement in March 2023. Prior to the release of funds from escrow, MTC approved LONPs for 21 projects, allowing those projects to proceed with local funds in place of the RM3 funds while preserving eligibility for reimbursement with RM3 funds when they became available.

In May 2023, the Commission directed staff to begin collecting RM3 allocation requests, starting with projects that have LONPs and have begun expending funds. Initial allocations were made in June 2023. To date, the RM3 Capital Program has made a total of \$870.3 million dollars in allocations.

December RM3 Allocation Recommendation

Staff recommends approval of \$16.8 million in RM3 allocations to five projects, including one with a previously approved LONP. The table below shows the recommended projects for allocation this month; summaries of each request are included in Attachment B, and further detail is found in each allocating resolution.

Project Sponsor	RM3 Proj. #/ MTC Res. No.	Project Title	LONP Amount (\$millions)	Allocation Request Amount (\$millions)
STA	4594 #21.1	I-80/I-680/SR-12 Interchange (Packages 1 & 2, Right-of-Way)	\$18.6	\$1.8
STA	4594 #21.2	I-80/I-680/SR-12 Interchange (Package 5, Final Design)	\$0	\$10
AC Transit	4613 #12.2	Quick Build Transit Priority Projects	\$0	\$1.5
SFMTA	4615 #10.1	Potrero Modernization Project	\$0	\$3.5
		Total	\$18.6	\$16.8

Issues:

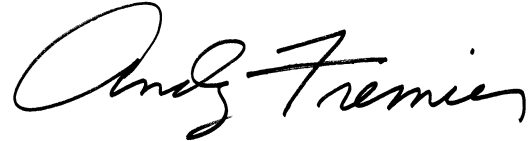
The recommended allocation for AC Transit Rapid Bus Improvements (Quick Build Transit Priority Projects) is contingent upon approval of the allocation request by the Alameda County Transportation Commission (ACTC), which is a listed co-sponsor in statute. Approval by ACTC is expected in early 2024. Confirmation of ACTC approval will be required before reimbursement can be made.

Recommendations:

Refer MTC Resolution Nos. 4594 Revised, 4613 Revised and 4615 to the Commission for approval.

Attachments:

- Attachment A: RM3 Capital Expenditure Plan Tracker
- Attachment B: RM3 Allocation Project Summaries
- MTC Resolution Nos. 4594 Revised, 4613 Revised and 4615

A handwritten signature in black ink, reading "Andrew B. Fremier". The signature is written in a cursive, flowing style.

Andrew B. Fremier